



Entered on Docket  
November 12, 2010

*Bruce A. Markell*

Hon. Bruce A. Markell  
United States Bankruptcy Judge

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BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P.  
09-77956

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Joseph R. Esquivel, Jr. and Lori Esquivel

Debtors.

BK-S-09-29326-bam

Date: October 26, 2010  
Time: 1:30 p.m.

Chapter 7

**ORDER DENYING DEBTORS' MOTION FOR CHANGING SECURED CREDITOR  
STATUS TO UNSECURED CREDITOR STATUS**

THE COURT having reviewed the Debtors' Motion For Changing Secured Creditor Status To Unsecured Creditor Status, the opposition filed by BAC Home Loans, Inc., (hereinafter "Secured Creditor"), together with other pleadings of record, and having entertained oral argument, rules as follows:

IT IS ORDERED that the Debtors were discharge on September 27, 2010, and therefore, do not have standing to object to the claim of Secured Creditor.

IT IS FURTHER ORDERED that this Court does not make any determination as to the validity of Debtors' allegations against Secured Creditor.

IT IS FURTHER ORDERED that the Debtors' motion is denied without prejudice.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010

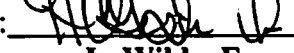
Approved/Disapproved

\_\_\_\_\_  
Pro Se Debtor  
Joseph R. Esquivel, Jr.

Approved/Disapproved

\_\_\_\_\_  
Pro Se Debtor  
Lori Esquivel

**WILDE & ASSOCIATES**

By:   
**Gregory L. Wilde, Esq.**  
Attorney for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately  
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
6 any unrepresented parties who appeared at the hearing, and each has approved or  
7 disapproved the order, or failed to respond, as indicated below [list each property and  
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the  
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the  
11 order.

12 Debtor's counsel:

13 ☐ approved the form of this order ☐ disapproved the form of this order

14 ☐ waived the right to review the order and/or ☒ failed to respond to the document

15 ☐ appeared at the hearing, waived the right to review the order

16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☐ approved the form of this order ☐ disapproved the form of this order

19 ☐ waived the right to review the order and/or ☒ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order

26 ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor